

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

L.C. Brown, Jr.,)	C/A No. 4:12-1745-TLW-TER
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Warden McCabe,)	
)	
Respondent.)	
)	

This is an action seeking habeas corpus relief under 28 U.S.C. § 2254, although Petitioner completed the court form for habeas relief under 28 U.S.C. § 2241. Petitioner may only challenge the validity of his state court convictions pursuant to 28 U.S.C. § 2254. Under Local Civil Rule 73.02(B)(2), D.S.C., pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge. By Order dated July 13, 2012, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the court's Order, and this case is now in proper form.

PAYMENT OF THE FILING FEE:

Petitioner has requested to proceed without prepaying the filing fee by filing an Application to Proceed without Prepayment of Fees and Affidavit (Form AO-240), which is construed as a Motion for Leave to Proceed *in forma pauperis*. ECF No. 10. Based on a review of the Motion, Petitioner's request to proceed *in forma pauperis* is **granted**.

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the Petition upon Respondent because the Petition is subject to dismissal.

IT IS SO ORDERED.

s/Thomas E. Rogers, III

Thomas E. Rogers, III

United States Magistrate Judge

September 27, 2012
Florence, South Carolina